

were other exceptional causes for the delay.

§ 1945.21 Reporting and coordination requirements.

After EM loans are made available under § 1945.20 of this subpart, the following actions will be taken immediately:

(a) *By the National Office.* The Administrator or a designee will:

(1) Submit weekly reports to the following, informing them of the past week's disaster actions taken by FmHA or its successor agency under Public Law 103-354. If no actions are taken in any particular week, negative reports will be made:

- (i) The Secretary of Agriculture or the Secretary's designee;
- (ii) The Director of the FmHA or its successor agency under Public Law 103-354 Finance Office;
- (iii) The FEMA;
- (iv) The SBA Central Office;
- (v) The ASCS National Office;
- (vi) The FCIC National Office;
- (vii) The OMB;
- (viii) The National Oceanic and Atmospheric Administration; and
- (ix) The Office of Governmental and Public Affairs.

(2) The weekly reports will contain the following information:

- (i) The date of the declaration/determination/notification;
- (ii) The name(s) of any county(ies) in which EM loans are available;
- (iii) The nature of the damages and losses; and
- (iv) The termination data for accepting EM loan applications.

(b) *By the State Director.* (1) Notify the appropriate County Supervisor(s) of the:

- (i) Name(s) of any county(ies) in which EM loans are available;
- (ii) Date of the declaration/determination/notification;
- (iii) Disaster number;
- (iv) Type of disaster;
- (v) Incidence period; and
- (vi) Termination date for accepting applications.

(2) Notify the State ASCS Executive Director of the authority to make EM loans. Promptly have a meeting to review and implement the provisions of the Memorandum of Understanding be-

tween ASCS and FmHA or its successor agency under Public Law 103-354 on Disaster Assistance, exhibit A of FmHA Instruction 2000-JJ (available in any FmHA or its successor agency under Public Law 103-354 office). Arrive at a mutual understanding as to how ASCS disaster program benefits are to be handled in conjunction with the processing of FmHA or its successor agency under Public Law 103-354 EM actual loss loans, so that duplication of benefits for the same losses are not received by disaster victims;

(3) Contact the FCIC Field Operations Office Director to review the Memorandum of Understanding between FCIC and FmHA or its successor agency under Public Law 103-354, exhibit A of FmHA Instruction 2000-N (available in any FmHA or its successor agency under Public Law 103-354 office), and arrive at a mutual understanding as to how FCIC indemnity payments are to be handled in conjunction with the processing of EM actual loss loans so that duplication of benefits for the same losses are not received by disaster victims;

(4) Make appropriate public announcements, including notices in Indian Tribal Council(s) news media. However, if the declaration was by the President, under § 1945.20(a) of this subpart, news releases should be cleared with the FEMA; and

(5) If the FEMA notifies the State Director that an agreement between the State and Federal Government (FEMA) has been made to provide 408 grants in a major disaster area to those suffering damages and losses to housing and personal property, who *are ineligible* for disaster loan assistance through the FmHA or its successor agency under Public Law 103-354 and/or SBA, the following actions will be taken:

(i) The State Director will notify the appropriate County Supervisor(s) of the address and phone number of the nearest FEMA office in the Supervisor's area; and

(ii) At the close of business each week, the County Supervisor(s) will forward to the State Director a list of applicants claiming physical losses who do not qualify for EM loan assistance, with the reason(s) they do not qualify; and

(iii) The State Director will immediately summarize the information received from the County Supervisors and forward a report to FEMA.

(c) *By the County Supervisor.* (1) Notify the County ASCS Executive Director of the declaration/determination/notification and have a meeting to review and implement the provisions of the Memorandum of Understanding between ASCS and FmHA or its successor agency under Public Law 103-354 on Disaster Assistance, exhibit A of FmHA Instruction 2000-JJ (available in any FmHA or its successor agency under Public Law 103-354 office), to arrive at a mutual understanding as to how ASCS disaster program benefits and other information in ASCS's records will be made available and used in processing EM actual loss loans. Also, the County Supervisor will request that information regarding the availability of EM loans be placed in the ASCS's newsletter;

(2) Notify the County Governing Body, Indian Tribal Council(s), and make appropriate public announcements including notices in Indian Tribal Council(s) news media; and

(3) Explain the assistance available under the EM program to agricultural lenders and leaders in the area including Indian agricultural lenders and leaders.

§§ 1945.22–1945.24 [Reserved]

§ 1945.25 Relationship between FmHA or its successor agency under Public Law 103-354 and FEMA.

(a) *General.* When a major disaster or emergency declaration is made by the President, the FEMA is charged with the responsibility for seeing that disaster assistance is made available to disaster victims. Also, FEMA is responsible for coordinating the actions of other Federal agencies who have programs to provide disaster assistance. A Federal Coordinating Officer (FCO) is appointed for each major disaster or emergency to coordinate Federal assistance in the disaster area.

(b) *Before the declaration.* (1) When a request for a major disaster or emergency declaration is made by the Governor of a State, the FEMA through its Regional Director is responsible for ob-

taining an assessment of the losses and damages to respond to the request.

(2) If the FEMA makes a request for information from FmHA or its successor agency under Public Law 103-354 on losses and damages caused by an unusual and adverse weather condition or natural phenomenon, the FEMA representative will be advised to contact the SFAC Vice Chairperson. The EOH provides that the SFAC will request the LFAC to prepare the DAR. State Directors and County Supervisors should cooperate with the SFAC Vice Chairpersons and LFAC Chairpersons in preparing the DARs.

(c) *After the declaration.* When a major disaster has been declared by the President and the FEMA establishes a disaster application center(s) in the local disaster area(s):

(1) The SFAC will be responsible for:

(i) Selecting qualified USDA employees to represent USDA at each center, after consulting with other council members in making the selection. FmHA or its successor agency under Public Law 103-354 State Directors will cooperate with the SFAC in seeing that centers are properly staffed.

(ii) Orienting the selected employees on all current USDA disaster programs. FmHA or its successor agency under Public Law 103-354 State Directors will cooperate in this orientation to ensure that the USDA representatives at the center(s) are familiarized with the FmHA or its successor agency under Public Law 103-354 EM loan program and other FmHA or its successor agency under Public Law 103-354 loan programs that could be of assistance to the disaster victims; and

(iii) Informing the FEMA that USDA representatives are available to help at each of the disaster application centers.

(2) The FmHA or its successor agency under Public Law 103-354 State Director will be responsible for pursuing the following policy in working with the FEMA and the FCO by:

(i) Authorizing receipt of EM loan applications in the counties named by the FEMA. However, no EM loans can be approved until the National Office has given such notification as prescribed in § 1945.20(a)(1) of this subpart;